



# Weatherford City Council

## AGENDA REPORT

**Meeting Date:** July 25, 2023

**Staff Contact:** Kaleb Kentner, Director of  
Development & Neighborhood  
Services

**Item Number:** 2023-368-AR

**Phone:** 817-598-4284, ext. 3

**SUBJECT:** Hold a PUBLIC HEARING and consider adoption of Ordinance O2023-27 regarding a request for a general plan amendment and zoning map amendment from AG Agricultural and C1 General Commercial to C1 General Commercial with a P Planned Unit Development overlay and a conditional use permit for Fuel Station use, on a 9.0403-acre tract at the southeast corner of B.B. Fielder and South Main Street, generally located at 2551 South Main Street, City of Weatherford, Parker County, Texas. ZCH2023-0009 & CUP2023-0009.

**CASE NUMBER** ZCH2023-0009 & CUP2023-0009

### GENERAL INFORMATION

<b>Applicant:</b>	QuikTrip/Bryan Clark
<b>Request Action:</b>	Zone Change from AG Agricultural & C1 General Commercial to C1 General Commercial with a P Planned Unit Development Overlay and Conditional Use Permit for Fuel Station Use.
<b>Project Description:</b>	2-Lot Commercial Development
<b>Site Address/Location:</b>	Southeast corner of B.B. Fielder and South Main Street
<b>Land Area:</b>	+/- acres 9.043
<b>General Plan:</b>	Regional Activity Center/Rural Living
<b>Existing Zoning:</b>	C1 General Commercial & AG Agricultural
<b>Surrounding Zoning:</b>	
<b>North:</b>	C2 Interstate Commercial
<b>South:</b>	AG Agriculture
<b>East:</b>	AG Agriculture
<b>West:</b>	C1 General Commercial

### BACKGROUND/DISCUSSION

The applicant is requesting C1 General Commercial with a P Planned Unit Development overlay on a 9.043-acre

property generally located at 2551 South Main Street. The current zoning for the property is AG Agriculture and C1 General Commercial with a General Plan designation for Regional Activity Center and Rural Living. A General Plan amendment is first required for the zoning consideration. The proposed zone change is consistent with the Community Commercial place type and compatible with surrounding uses, both existing and under construction, on the north and west of the subject property.

In addition to the general plan and zoning map amendment requests, the applicant is also requesting approval of a conditional use permit for Fuel Station use on Lot 1, Block A of the proposed subdivision for the first phase of development. The specific fuel station is a QuikTrip Convenience Store, #1948, being a 5,312 square foot building featuring a full kitchen with pastries, wraps, salads, sandwiches, pizza, pretzels, and deserts. The proposed store would operate 24 hours a day, seven days a week and feature automotive gasoline and diesel fuel sales as shown on the concept plan located on Lot 1.

A preliminary plat has been submitted for the subject development; the proposed 2-lot subdivision will be developed in two (2) phases as noted above. Phase 2 of the development is still undetermined but would be subject to the City of Weatherford standards and procedures as development occurs.

A Planned Unit Development overlay (Section 12-3-402 of the zoning regulations) is applied to a base zoning district to accommodate flexibility with respect to certain development standards to achieve higher-quality, innovative, or mixed-use developments. The purpose of a Planned Unit Development is to facilitate exceptional development that will benefit the public above and beyond what is possible with strict adherence to the base standards. As part of the application package, the applicant has included a Development Agreement for the subject property which includes details, finishes, materials, and other development related items to demonstrate the merits of the proposed project and justify the adjustments to the General Plan and base zoning district requirements.

Adherence to the Title XI Subdivision Regulations and Title XII Zoning Ordinance for platting and development shall be maintained; no other alterations or adjustments are implied or will be made by the approval of a General Plan Amendment, Zoning Map Amendment, and Conditional Use Permit requests. Impacts to the site as development occurs shall be addressed by the Site Development, Site Plan, and Building Permit processes. Approved Civil plans for the site are required for all public infrastructure; acceptance of these improvements will be required prior to recording of the final plat or surety provided as outlined by Section 12-2-102 of the Title XII Zoning Ordinance.

The Zoning Ordinance provides 10 approval criteria for consideration of a Planned Unit Development Overlay, upon which staff's recommendation is given:

*a. All required information is provided and sufficient to effectively evaluate the proposed development.*

The applicant submitted complete applications for Planned Unit Development, Zoning Amendment, Conditional

Use Permit, and Preliminary Plat. **Staff finds this criterion is met.**

*b. Utilities, transportation infrastructure, and other public facilities are available and adequate to serve the proposed development at the time of occupancy.*

A complete set of civil engineering plans and supporting studies including, but not limited to a full traffic impact analysis (TIA) and downstream drainage assessment will be required, all of which must comply with all design standards of the City of Weatherford Engineering Design and Construction Manual for each phase of development. Additionally, extension of public utilities shall be required by the developer as part of the Site Development Permitting process.

*c. The proposed development is compatible with and thoughtfully integrated into the surrounding community, particularly where adjacent to existing historic and residential neighborhoods.*

The concept plan meets minimum setback and buffer requirements to adjacent properties. The applicant proposes a masonry screening wall to be installed along the abutting residentially property. **Staff finds this criterion is met.**

*d. Auto-oriented or other high-intensity uses are concentrated away from edges which are adjacent to existing historic and residential neighborhoods.*

The concept plan for phase 1 development meets minimum setback and buffer requirements to adjacent properties and public right-of-way. As part of the Development Agreement submitted, the applicant proposes a minimum of 5' screening to be installed along single-family zoned property. **Staff finds this criterion is met.**

*e. The proposed development contributes to citywide goals and policies and includes features, amenities, or protections which benefit the general public or the residents, customers, and employees of the Planned Unit Development, and such benefits are sufficient to warrant the type and amount of flexibility requested.*

Requested adjustments for the property are limited to minimum landscape reductions as outlined in the Development Agreement. Enhanced architectural materials, signage, and screening are all proposed for the development to warrant the flexibility requested.

The design features and finishes for the proposed fuel station are compatible with the existing QuikTrip located on South Bowie Street. Signage for proposed store which is limited to wall signs and a masonry clad sign not exceeding 20' in height. The included Development Agreement prohibits pole and pylon signs for the remainder of the development and requires all monument signs to be clad with matching or complimentary masonry to the primary structure(s) as development occurs. Enhanced building materials, dumpster and buffer yard screening requirements are included with the Development Agreement standards to ensure a cohesive and higher quality development is achieved.

Based upon the information provided in the application materials and evaluating the features and protections against what typical development standards would yield, **Staff finds that this criterion is met.**

*f. Buildings, streets, and other improvements are designed and located to preserve heritage trees and other significant natural features to the greatest extent possible.*

The existing corner has dated commercial structures which are vacant and will be removed prior to new construction. There are no significant natural features or trees proposed for removal with this development. **Staff finds that this criterion is met.**

*g. Impacts from the proposed development are mitigated to the extent practicable.*

The applicant proposes to locate the commercial development fronting the public Right-of-Way for visibility and access. Additional screening measures are proposed in the form of a masonry screening wall to buffer the surrounding residential properties and provide visual relief for those property owners as development occurs. All additional development related impacts for the property will be addressed during the development process and associated permits and plan reviews. **Staff finds that this criterion is met.**

*h. Adjustments to right-of-way, block, or street standards do not result in unsafe conditions.*

Adjustments to right-of-way, block, or street standards have not been requested. **Staff finds this criterion does not apply.**

*i. All applicable development standards and requirements are met, except as adjusted.*

Staff has not identified any additional development standards which are not met, or cannot be met, by the proposal. Any standards for which adjustments are not specifically outlined by the Planned Unit Development Overlay will be held to the base zoning requirements of C1 General Commercial district and other applicable standards of Title XII, Zoning Ordinance. Adherence to the Title XI Subdivision Regulations for platting and development shall likewise be maintained; no other alterations or adjustments are implied or will be made by the approval of a Zoning Amendment with Planned Unit Development Overlay request. **Staff finds this criterion is met.**

*j. Proposed adjustments are within the following limits:*

1. *Maximum number of dwelling units within the project area does not exceed the maximum allowed by*

*the base zoning district standard.*

2. *Maximum building height does not exceed the base zoning district standard by more than 50 percent (50%).*
3. *Maximum floor-area ratio does not exceed the base zoning district standard by more than 50 percent (50%).*
4. *Minimum landscape requirements are not reduced by more than 10 percent (10%).*

Adjustments to the building height, maximum number of dwelling units, and maximum floor-area ratio have not been requested. Minimum landscaping requirements are within the 10% maximum allotment threshold as permitted by Section 12-3-402. Additional landscaping provided through enhanced buffer yard screening outlined in the Development Agreement is eligible for credit towards minimum standards as development occurs. **Staff finds these criteria do not apply or are met.**

#### **ALTERNATIVES**

1. City Council may approve the general plan amendment and zoning map amendment request as proposed.
2. City Council may approve the general plan amendment, zoning map amendment, and conditional use permit request as proposed.
3. City Council may approve the general plan amendment, zoning map amendment, and conditional use permit request subject to conditions.
4. City Council may disapprove the requests.

#### **SUGGESTED ACTION/RECOMMENDATION**

Staff finds the proposed benefits of the concept plan and development standards contribute sufficiently to the overall goals of the city when evaluating a Planned Unit Development. The development agreement provides additional details and development standards that will benefit the public above and beyond what is permissible by simply following the straight zoning district.

Staff recommends approval of the general plan amendment, zoning map amendment, and conditional use permit requests, subject to the following conditions. At their July 12<sup>th</sup>, 2023, regularly scheduled meeting, the Planning & Zoning Commission voted unanimously (5-0) to recommend approval of general plan amendment, zoning map amendment, and conditional use permit request, subject to the conditions as recommended by staff.

1. Details of the concept plan, development agreement standards, and associated development of the property shall be subject to the Site Development Permit, Site Plan Review, and Commercial Building Permit process.
2. Demolition of the existing structures on the property is required, subject to an approved Demolition Permit.

3. Any potential traffic impacts will be reviewed during the Site Development Permit process.
  
4. Dumpsters shall be kept inside approved enclosures with doors shut.
  
5. Temporary signs, banners, and other advertisement shall not be allowed or permitted on the property. Vehicles with advertising or vehicles intended for use as advertising shall not be parked or stored in front or adjacent to the primary structure.
  
6. This conditional use permit will be void if construction activities have not been started within 8 months of Ordinance approval. Additionally, this conditional use permit will be void if construction and issuance of Certificate of Occupancy for QuikTrip Convenience Store (Phase 1) has not been completed within 24 months of ordinance approval.

**ATTACHMENTS**

- [Planned Development Narrative](#)
- [Concept Plan and Elevations](#)
- [O2023-27](#)
- [Development Agreement.pdf](#)
- [Presentation](#)